

MERRILL HERMAN AND SHARRON DUPLER

against

DAVID BERSON, ET AL

Plaintiff(s)

Defendant(s)

AFFIDAVIT
OF
SERVICE

STATE OF NEW YORK, COUNTY OF SUFFOLK

GERARD SCULLY

ss.:

being duly sworn, deposes and says: that deponent is not a party

to this action, is over 18 years of age and resides in The State of New York

That on 11/21/07 3:08 PM at 5 DARENY COURT, MELVILLE NY 11747

deponent served the within SUMMONS AND COMPLAINT bearing Index# 07 CIV 10263 & filing date 11/13/07

on

DAVID BERSON

defendant therein named,

INDIVIDUAL



by delivering thereat a true copy of each to said defendant personally; deponent knew said person so served to be the person described as said defendant therein. (S)He identified (her) himself as such.

CORPORATION



a , by delivering thereat a true copy of each to personally; deponent knew said so served to be the described as the named defendant and knew said individual to be the thereof an authorized person to accept service of process

SUITABLE
AGE PERSON



by delivering thereat a true copy of each to a person of suitable age and discretion. That person was also asked by deponent whether said premises was the defendant's and the reply was affirmative.

AFFIXING TO
DOOR, ETC.



by affixing a true copy of each to the door of said premises, which is defendant's within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having verified defendant's with and having called there on

2 STORY WHITE SIDED RESIDENCE/DOUBLE WHITE DOORS

MAILING



On deponent also enclosed a copy of same in a postpaid sealed wrapper properly addressed to defendant at defendant's

and deposited said wrapper in a post office of the United States Postal Service within New York State.

DESCRIPTION

Deponent describes the individual served to the best of deponent's ability at the time and circumstances of service as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
MALE	WHITE	GRAY	53	6' 1	200

USE IN
NYC CIVIL CT.



Other identifying features: MOUSTACHE/GLASSES

The language required by NYCRR 2900.2(e), (f) & (h) was set forth on the face of said summons(es).

MILITARY
SERVICE



I asked the person spoken to whether defendant was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply.

The source of my information and the grounds of my belief are the conversations and observations above narrated.

Upon information and belief I aver that the defendant is not in the military service of New York State or of the United States as that term is defined in either the State or Federal statutes.

SWORN TO BEFORE ME ON

ANGELA WICHTENDAHL
NOTARY PUBLIC - STATE OF NEW YORK
NO. 01W6093107
QUALIFIED IN SUFFOLK COUNTY
MY COMMISSION EXPIRES 05/27/2011

GERARD SCULLY

LICENSE NO. 1007503